

who are primarily involved in counter-narcotics activities and who do not commit human rights abuses. In order to ensure that the law is faithfully implemented, the State Department needs to know who we train and who receives our equipment.

It calls on the Mexican Government to respect the freedoms of movement, association and expression by implementing the recommendations of the Inter-American Commission on Human Rights, particularly with regard to American citizens and others who have been summarily expelled from Mexico in violation of Mexican law and international law.

And it urges both sides to take initiatives for peace.

Mr. President, some may ask why we are submitting this resolution today, when this conflict has been simmering for years. It is my hope that in conjunction with Mary Robinson's visit next week, this Resolution will send a strong message to the Mexican Government, the Zapatistas, our own administration and the international community that an intensified effort is needed urgently to resolve the conflict peacefully.

SENATE RESOLUTION 233—EXPRESSING THE SENSE OF THE SENATE REGARDING THE URGENT NEED FOR THE DEPARTMENT OF AGRICULTURE TO RESOLVE CERTAIN MONTANA CIVIL RIGHTS DISCRIMINATION CASES

Mr. BAUCUS (for himself and Mr. BURNS) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 233

Whereas there exists a strong public policy against discrimination against minority groups, whether the discrimination is committed by private individuals or by the Federal Government in the operation of its programs;

Whereas, whenever discrimination occurs in the conduct of a Federal Government program, the responsible Federal Government agency should take quick and aggressive action to remedy the discrimination;

Whereas, last year, the Department of Agriculture was held accountable for certain civil rights violations against United States agricultural producers in connection with their attempted participation in lending programs of the Department;

Whereas, a significant number of Montana civil rights petitioners have not received a timely, and equitable resolution of their complaints;

Whereas the agricultural community has faced a series of hardships, including record low prices, extreme weather disasters, and a shortage of farm loan opportunities;

Whereas additional frustration and financial difficulties perpetuated by the inadequate review process has further imposed undue hardship on the Montana civil rights petitioners;

Whereas the mission of the Office of Civil Rights of the Department of Agriculture requires the Office to facilitate the fair and equitable treatment of customers and employees of the Department while ensuring the de-

livery and enforcement of civil rights programs and activities;

Whereas the Department of Agriculture should be committed to the policy of treating its customers with dignity and respect as well as to providing high quality and timely products and services; and

Whereas an urgent need exists for the Department of Agriculture to resolve certain Montana civil rights discrimination cases, many backlogged, by a date certain in furtherance of that policy: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that, not later than March 1, 2000, the Secretary of Agriculture should resolve, or take other action to resolve, all cases pending on the date of approval of this resolution of alleged civil rights discrimination by the Department of Agriculture against agricultural producers located in the State of Montana.

• Mr. BAUCUS. Mr. President, I rise today to submit a sense-of-the-Senate Resolution regarding the urgent need for the U.S. Department of Agriculture to resolve its civil rights discrimination cases. On behalf of Senator BURNS, the bill's cosponsor, and myself, I urge the Senate to recognize the urgency of this situation.

Mr. President, there exists a strong public policy against discrimination against minority groups, whether the discrimination is committed by private individuals or by the Government in the operation of its programs, and it is our firmly held belief that whenever discrimination occurs in the conduct of Government programs, the responsible Government agencies should take quick and aggressive action to remedy such discrimination.

I am most concerned that over the past year, such action has not been taken by the U.S. Department of Agriculture's Office of Civil Rights. In fact, many Montana civil rights cases that my office and that of Senator's BURNS have been working with are seriously backlogged in the system and have consequently remained unsatisfactorily addressed.

We have worked hard with the Montana Department of Agriculture's Farm Agency to resolve these cases. The Director of the FSA and the State FSA Committee has worked hard to resolve any outstanding problems concerning its programs and have made certain that these kinds of problems do not occur in Montana. I commend their outreach efforts in ensuring the equitable delivery of the Agency's programs to all eligible Montana recipients.

We need a better working relationship with the USDA's Office of Civil Rights to bring the outstanding cases to resolution in a timely manner. Repeated phone calls and requests have yielded few answers. For that reason, I am offering this resolution which binds the agency to its mission of facilitating the fair and equitable treatment of USDA customers and employees while ensuring the delivery and enforcement of civil rights programs and activities. Further we hope to commit the USDA to treating its customers with dignity and respect as well as to providing quality and timely products

and services. Finally, the resolution resolves that not later than March 1, 2000, the Secretary should resolve all the outstanding cases of alleged civil rights discrimination by the Department of Agriculture.

It is high time to bring this issue to resolution, and I appreciate the Senate's consideration of this important matter.

• Mr. BURNS. Mr. President. I am pleased to be joined by Mr. BAUCUS, in sponsoring a sense-of-the-Senate resolution which addresses the backlog of Montana civil rights complaints at the U.S. Department of Agriculture (USDA).

Last year, a finding was made that the USDA had, for decades, been guilty of violating many of America's producer's civil rights. When these producers tried to take advantage of the programs offered by the USDA they were treated differently than their friends and neighbors. We enacted Legislation last fall, that was intended to right this wrong. Even with passage of this provision, it remains a difficult challenge to ensure that those who have been harmed by USDA will receive a prompt and balanced resolution of their complaints.

It appears that a number of those previously investigated complaints have fallen into some sort of "black hole". Despite numerous phone calls and concerted pressure, no progress has been made in resolving these cases. We have been contacted by a number of Montanans who have shared horror stories about the treatment their cases have received from the USDA's Office of Civil Rights. These complaints are simply being ignored. The inadequacy of this process is adding insult to injury, keeping these producers in limbo and allowing their complaints to rest, unresolved. These constituents cannot get on with their lives until the USDA takes action. For those who have justified complaints, this delay is another slap in the face.

This resolution expresses the sense of the Senate that USDA's delays must stop. These cases must be resolved soon. It is our intent that they be resolved by March 1, 2000. These producers has suffered too much already. They cannot afford to wait any longer.

We look forward to working with members of other states affected by this abuse of the civil rights program to resolve these complaints as quickly as possible.

AMENDMENTS SUBMITTED

FURTHER CONTINUING  
RESOLUTION, 2000

BYRD (AND OTHERS) AMENDMENT  
NO. 2780

Mr. BYRD (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. BUNNING, Mr. REID, Mr. CRAIG, Mr. BRYAN, Mr. HATCH, Mr. BENNETT, Mr. MURKOWSKI, Mr. CRAPO, Mr. ENZI, Mr. BURNS, Mr.

KYL, Mr. BREAU, Mr. SHELBY, Mr. GRAMM, and Mr. GRAMS) proposed an amendment to the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2000, and for other purposes, as follows:

At the appropriate place, insert the following:

**SEC. . DISPOSAL OF EXCESS SPOIL AND COAL MINE WASTE.**

(a) IN GENERAL.—Notwithstanding any other provision of law (including any regulation or court ruling), hereafter—

(1) in rendering permit decisions for discharges of excess spoil and coal mine waste into waters of the United States from surface coal mining and reclamation operations, the permitting authority shall apply section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) and the section 404(b)(1) guidelines pursuant to section 404(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1344(b)(1)) and implementing regulations set forth in part 230 of title 40, Code of Federal Regulations (as in effect on October 19, 1999);

(2) the permitted disposal of such spoil or waste meeting the requirements of the section 404(b)(1) guidelines referred to in paragraph (1) shall be deemed to satisfy the criteria for granting a variance under regulations set forth in sections 816.57 and 817.57 of title 30, Code of Federal Regulations, and applicable State regulations; and

(3) Federal and State water quality standards shall not apply to the portions of waters filled by discharges permitted pursuant to the procedures set forth in paragraphs (1) and (2); all applicable Federal and State water quality standards shall apply to all portions of waters other than those filled pursuant to the permitting procedures set forth in paragraphs (1) and (2).

(b) DURATION OF EFFECTIVENESS.—The permitting procedures specified in subsection (a) shall remain in effect until the later of—

(1) the date that is 2 years after the date of enactment of this Act; or

(2) the effective date of regulations promulgated to implement recommendations made as a result of the environmental impact statement relating to the permitting process, the preparation of which was announced at 64 Fed. Reg. 5800 (February 5, 1999).

(c) EFFECT OF SECTION.—Nothing in this section modifies, supersedes, undermines, displaces, or amends any requirement of, or regulation issued under, the Federal Water Pollution Control Act (commonly known as the "Clean Water Act") (33 U.S.C. 1251 et seq.) or the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.), as applied by the responsible Federal agencies on October 19, 1999.

(d) PERIOD OF EFFECTIVENESS.—Notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, this section shall remain in effect until the date of termination of the effectiveness of the permitting procedures in accordance with subsection (b).

**SEC. . HARDROCK MINING.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 357 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the issuance of regulations on hardrock mining, the following shall apply:

(1) HARDROCK MINING.—None of the funds made available under this Act or any other Act shall be used by the Secretary of the Interior to promulgate final regulations to re-

vise subpart 3809 of 43, Code of Federal Regulations, except that the Secretary, after the end of the public comment period required by section 3002 of the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31; 113 Stat. 89), may issue final regulations to amend that subpart if the regulations are consistent with—

(A) the regulatory gap findings identified in the report of the National Research Council entitled "Hardrock Mining on Federal Lands"; and

(B) statutory authorities in effect as of the date of enactment of this Act.

(2) LIMITATION.—Nothing in this section expands the statutory authority of the Secretary of the Interior in effect as of the date of enactment of this Act.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

**SEC. . MILLSITES.**

(a) IN GENERAL.—For the purposes of section 1000(a)(3) of division B of the Act enacting H.R. 3194 of the 106th Congress, in lieu of section 337 of title III of H.R. 3423 of the 106th Congress, as introduced on November 17, 1999, regarding the millsites opinion, the following shall apply:

(1) MILLSITES OPINION.—No funds shall be expended by the Secretary of the Interior or the Secretary of Agriculture, for fiscal years 2000 and 2001, to limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to—

(A) any patent application excluded from the operation of section 112 of the Department of the Interior and Related Agencies Appropriations Act, 1995, by section 113 of that Act (108 Stat. 2519);

(B) any operation or property for which a plan of operations has been approved before the date of enactment of this Act; or

(C) any operation or property for which a plan of operations, or amendment or modification to an existing plan, was submitted to the Bureau of Land Management or the Forest Service before May 21, 1999.

(2) NO RATIFICATION.—Nothing in this Act or the 1999 Emergency Supplemental Appropriations Act (Public Law 106-31) shall be construed as an explicit or tacit adoption, ratification, endorsement, approval, rejection, or disapproval of the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites.

(b) PERIOD OF EFFECTIVENESS.—This section—

(1) takes effect 1 day after the date of enactment of the Act enacting H.R. 3194 referred to in subsection (a); and

(2) notwithstanding any other provision of law repealing or terminating the effectiveness of this Act, shall remain in effect unless repealed by Act of Congress that makes specific reference to this section.

**HELMS (AND OTHERS)  
AMENDMENT NO. 2781**

Mr. LOTT (for Mr. HELMS (for himself, Mr. EDWARDS, and Mr. ROBB)) proposed an amendment to the joint resolution, H.J. Res. 82, supra; as follows:

At the appropriate place insert:

**COMMODITY CREDIT CORPORATION PRODUCER-OWNED MARKETING ASSOCIATIONS FORGIVENESS**

SEC. 1. The Secretary of Agriculture shall reduce the amount of any principal due on a loan made to marketing association incorporated in the State of North Carolina for the 1999 crop of an agricultural commodity by at least 75 percent if the marketing association suffered losses of the agricultural commodity in a county with respect to which—(1) a natural disaster was declared by the Secretary for losses due to Hurricane Dennis, Floyd, or Irene; or (2) a major disaster or emergency was declared by the President for losses due to Hurricane Dennis, Floyd, or Irene under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)

If the Secretary assigns a grade quality for the 1999 crop of an agricultural commodity marketed by an association described in subsection (a) that is below the base quality of the agricultural commodity, the Secretary shall compensate the association for losses incurred by the association as a result of the reduction in grade quality.

Up to \$81,000,000 of the resources of the Commodity Credit Corporation may be used for the cost of this provision: Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) and prevent sequestration of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 2. In administering \$50,000,000 in emergency supplemental funding for the Emergency Conservation Program, the Secretary shall give priority to the repair of structures essential to the operation of the farm.

**ADDITIONAL STATEMENTS**

**TRIBUTE TO GRAHAM STILES  
NEWELL**

• Mr. JEFFORDS. Mr. President, it gives me great pleasure to stand before the Senate today and pay tribute to a man who has greatly influenced the cultural maturity of my home state of Vermont. Graham Stiles Newell will be honored as Citizen of the Year by the Vermont Chamber of Commerce on December 4, 1999. Graham has made extraordinary contributions to Vermont in many areas throughout his life. And he has made his biggest contributions in one area in which I have spent a great deal of legislative energy—education.

Graham Newell probably learned to read before he learned to walk. I understand that he first secured a library card at the Saint Johnsbury Atheneum when he was in the first grade. Since then, he has been passing on his knowledge to anyone willing to learn, and that number is larger than you can imagine. After graduating from the University of Chicago in 1938, he launched an incredible career in education, one that touched three generations of many Vermont families.

Graham has been a leader in Vermont education in both the professional and legislative arenas. In the last seven decades he has been a teacher at the Junior High, High School, and College level, and will undoubtedly keep teaching well into the next millennium. Graham began his teaching career at his alma mater, Saint